



## **Regulation 5145.7: Sexual Harassment**

**Status:** ADOPTED

**Original Adopted Date:** 05/06/1997 | **Last Revised Date:** 09/26/2026 | **Last Reviewed Date:** 09/26/2026

### **Definitions**

Sexual harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of one, or a combination of two or more protected characteristics, which include, but may not be limited to, sex; gender; gender identity; gender expression; sexual orientation; sex stereotypes; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status. (Education Code 200, 210.2, 220, 221.51, 230, 260; Government Code 11135; 20 USC 1681-1688)

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

Any prohibited conduct that occurs off campus or outside of district-related or district-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

### **Title IX Coordinator/Compliance Officer**

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX. The individual(s) shall also serve as the Compliance Officer(s) specified in Administrative Regulation 1312.3 - Uniform Complaint Procedures and Administrative Regulation 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle student complaints alleging unlawful discrimination, as permitted by law. The Title IX Coordinator(s) may be contacted at:

Cintia Robinson  
Director of Human Resources

825 N. Lovekin Blvd.  
Blythe, CA 92225  
(760) 922-4164 x1232  
cintia.robinson@pvusd.us

### **Notifications**

The Superintendent or designee shall notify students and parents/guardians that the district does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

The Superintendent or designee shall ensure that a copy of the district's sexual harassment policy and regulation:

1. Is included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Is displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Is summarized on a poster, which shall be prominently and conspicuously displayed in each bathroom and locker room at each school

The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)

4. Is posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6; 34 CFR 106.8)
5. Is provided as part of any orientation program conducted for new and continuing students at the time the student is enrolled or at the beginning of each quarter, semester, or summer session (Education Code 231.5)
6. Appears in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

### **Reports and Complaints**

A student or a student's parent(s)/guardian(s) who believes that the student has been subjected to sexual harassment in a district program or activity or who has witnessed sexual harassment is strongly encouraged to report the incident to the district's Title IX Coordinator, a teacher, the principal, or any other available school employee. Within one workday of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes sexual harassment shall, within one workday, report the observation to the Title IX Coordinator as specified in the accompanying board policy. The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality.

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures.

All complaints alleging sexual harassment against students in the school setting shall be investigated and resolved in accordance with law and district procedures. The district's Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Title IX Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| State                | Description                                                                                                                                |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 5 CCR 432            | <a href="#">Student records</a>                                                                                                            |
| 5 CCR 4600-4670      | <a href="#">Uniform complaint procedures</a>                                                                                               |
| 5 CCR 4900-4965      | Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance                         |
| Civ. Code 1714.1     | <a href="#">Liability of parent/guardian for act of willful misconduct by a minor</a>                                                      |
| Civ. Code 51.9       | <a href="#">Liability for sexual harassment; business, service and professional relationships</a>                                          |
| Ed. Code 200-280     | <a href="#">Prohibition of discrimination</a>                                                                                              |
| Ed. Code 220.1       | Prohibition of retaliation related to educational equity                                                                                   |
| Ed. Code 220.3       | No requirement to disclose information related to student's sexual orientation, gender identity, or gender expression                      |
| Ed. Code 220.5       | Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression |
| Ed. Code 35292.5     | <a href="#">School restrooms; all-gender restrooms</a>                                                                                     |
| Ed. Code 48900       | <a href="#">Grounds for suspension or expulsion</a>                                                                                        |
| Ed. Code 48900.2     | <a href="#">Additional grounds for suspension or expulsion; sexual harassment</a>                                                          |
| Ed. Code 48904       | <a href="#">Liability of parent/guardian for willful student misconduct</a>                                                                |
| Ed. Code 48980       | <a href="#">Parent/Guardian notifications</a>                                                                                              |
| Ed. Code 48985       | <a href="#">Notices to parents/guardians in language other than English</a>                                                                |
| Ed. Code 49060-49079 | <a href="#">Student records</a>                                                                                                            |
| Gov. Code 11135      | <a href="#">Prohibition of discrimination</a>                                                                                              |
| Gov. Code 12950.1    | <a href="#">Sexual harassment training</a>                                                                                                 |

## Federal

20 USC 1092  
20 USC 1221  
20 USC 1232g  
20 USC 1681-1688  
34 CFR 106.1-106.82  
34 CFR 99.1-99.67  
34 USC 12291  
42 USC 1983  
42 USC 2000d-2000d-7  
42 USC 2000e-2000e-17

## Management Resources

Court Decision  
Court Decision  
Court Decision  
Court Decision  
Court Decision  
Court Decision  
Court Decision  
CSBA Publication  
  
Federal Register  
  
U.S. DOE, Office for Civil Rights Publication  
  
Website  
Website  
Website  
Website

## Cross References

0410  
0450  
0450  
1114

## Description

[Definition of sexual assault](#)  
[Application of laws](#)  
[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)  
[Title IX of the Education Amendments of 1972; discrimination based on sex](#)  
[Nondiscrimination on the basis of sex in education programs or activities](#)  
[Family Educational Rights and Privacy](#)  
[Definition of dating violence, domestic violence, and stalking](#)  
[Civil action for deprivation of rights](#)  
[Title VI, Civil Rights Act of 1964](#)  
Title VII, Civil Rights Act of 1964, as amended

## Description

Tennessee v. Cardona (2024) 737 F.Supp.3d 510  
[Davis v. Monroe County Board of Education \(1999\) 526 U.S. 629](#)  
[Doe v. Petaluma City School District \(1995, 9th Cir.\) 54 F.3d 1447](#)  
[Gebser v. Lago Vista Independent School District \(1998\) 524 U.S. 274](#)  
[Oona by Kate S. v. McCaffrey \(1998, 9th Cir.\) 143 F.3d 473](#)  
[Reese v. Jefferson School District \(2001, 9th Cir.\) 208 F.3d 736](#)  
[Donovan v. Poway Unified School District \(2008\) 167 Cal.App.4th 567](#)  
[Flores v. Morgan Hill Unified School District \(2003, 9th Cir.\) 324 F.3d 1130](#)  
[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)  
[Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579](#)  
[Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025](#)  
[CSBA District and County Office of Education Legal Services](#)  
[California Department of Education](#)  
[CSBA](#)  
[U.S. Department of Education, Office for Civil Rights](#)

## Description

[Nondiscrimination In District Programs And Activities](#)  
[Comprehensive Safety Plan](#)  
[Comprehensive Safety Plan](#)  
[District-Sponsored Social Media](#)

**Cross References**

1114

1312.1

1312.1

1312.1-E PDF(1)

1312.3

1312.3

1313

3515.4

3515.4

3530

3530

3580

3580

4117.7

4118

4118

4119.11

4119.11

4119.12

4119.12-E(1)

4119.24

4131

4131

4218

4218

4219.11

4219.11

4219.12

4219.12-E(1)

4231

4319.11

4319.11

4319.12

4319.12-E(1)

5125

**Description**[District-Sponsored Social Media](#)[Complaints Concerning District Employees](#)[Complaints Concerning District Employees](#)[Complaints Concerning District Employees](#)[Uniform Complaint Procedures](#)[Uniform Complaint Procedures](#)[Civility](#)[Recovery For Property Loss Or Damage](#)[Recovery For Property Loss Or Damage](#)[Risk Management/Insurance](#)[Risk Management/Insurance](#)[District Records](#)[District Records](#)[Employment Status Reports](#)[Dismissal/Suspension/Disciplinary Action](#)[Dismissal/Suspension/Disciplinary Action](#)[Sexual Harassment](#)[Sexual Harassment](#)[Title IX Sexual Harassment Complaint Procedures](#)[Title IX Sexual Harassment Complaint Procedures](#)[Maintaining Appropriate Adult-Student Interactions](#)[Staff Development](#)[Staff Development](#)[Dismissal/Suspension/Disciplinary Action](#)[Dismissal/Suspension/Disciplinary Action](#)[Sexual Harassment](#)[Sexual Harassment](#)[Title IX Sexual Harassment Complaint Procedures](#)[Title IX Sexual Harassment Complaint Procedures](#)[Staff Development](#)[Sexual Harassment](#)[Sexual Harassment](#)[Title IX Sexual Harassment Complaint Procedures](#)[Title IX Sexual Harassment Complaint Procedures](#)[Student Records](#)

**Cross References**

|                 | <b>Description</b>                                                                            |
|-----------------|-----------------------------------------------------------------------------------------------|
| 5125            | <a href="#">Student Records</a>                                                               |
| 5131            | <a href="#">Conduct</a>                                                                       |
| 5131.2          | <a href="#">Bullying</a>                                                                      |
| 5131.2          | <a href="#">Bullying</a>                                                                      |
| 5131.5          | <a href="#">Vandalism And Graffiti</a>                                                        |
| 5132            | <a href="#">Dress And Grooming</a>                                                            |
| 5132            | <a href="#">Dress And Grooming</a>                                                            |
| 5137            | <a href="#">Positive School Climate</a>                                                       |
| 5138            | <a href="#">Conflict Resolution/Peer Mediation</a>                                            |
| 5141.4          | <a href="#">Child Abuse Prevention And Reporting</a>                                          |
| 5141.4          | <a href="#">Child Abuse Prevention And Reporting</a>                                          |
| 5141.52         | <a href="#">Suicide Prevention</a>                                                            |
| 5141.52         | <a href="#">Suicide Prevention</a>                                                            |
| 5144            | <a href="#">Discipline</a>                                                                    |
| 5144            | <a href="#">Discipline</a>                                                                    |
| 5144.1          | <a href="#">Suspension And Expulsion/Due Process</a>                                          |
| 5144.1          | <a href="#">Suspension And Expulsion/Due Process</a>                                          |
| 5144.2          | <a href="#">Suspension And Expulsion/Due Process (Students With Disabilities)</a>             |
| 5145.2          | <a href="#">Freedom Of Speech/Expression</a>                                                  |
| 5145.2          | <a href="#">Freedom Of Speech/Expression</a>                                                  |
| 5145.3          | <a href="#">Nondiscrimination/Harassment</a>                                                  |
| 5145.3          | <a href="#">Nondiscrimination/Harassment</a>                                                  |
| 5145.6          | <a href="#">Parent/Guardian Notifications</a>                                                 |
| 5145.6-E(1)     | <a href="#">Parent/Guardian Notifications</a>                                                 |
| 5145.71         | <a href="#">Title IX Sexual Harassment Complaint Procedures</a>                               |
| 5145.71-E(1)    | <a href="#">Title IX Sexual Harassment Complaint Procedures</a>                               |
| 5145.9          | <a href="#">Hate-Motivated Behavior</a>                                                       |
| 6142.1          | <a href="#">Sexual Health And HIV/AIDS Prevention Instruction</a>                             |
| 6142.1          | <a href="#">Sexual Health And HIV/AIDS Prevention Instruction</a>                             |
| 6142.1-E PDF(1) | <a href="#">Sexual Health And HIV/AIDS Prevention Instruction - Family Life/Sex Education</a> |
| 6142.8          | <a href="#">Comprehensive Health Education</a>                                                |
| 6142.8          | <a href="#">Comprehensive Health Education</a>                                                |
| 6143            | <a href="#">Courses Of Study</a>                                                              |
| 6143            | <a href="#">Courses Of Study</a>                                                              |

**Cross References**

6145

6145.2

6145.2

6163.4

6163.4-E PDF(1)

6163.4-E(1)

**Description**

[Extracurricular And Cocurricular Activities](#)

[Athletic Competition](#)

[Athletic Competition](#)

[Student Use Of Technology](#)

[Student Use Of Technology](#)

[Student Use Of Technology](#)